BILL 2654 **ORDINANCE 2011-26**

"AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING SECTION 415.020 AND SECTION 485.010 OF THE UNIFIED DEVELOPMENT CODE OF THE RAYMORE CITY CODE."

WHEREAS, the City Council of the City of Raymore, Missouri adopted the Unified Development Code as Ordinance 28117 on December 8, 2008; and,

WHEREAS, the Planning and Zoning Commission held a Public Hearing on the proposed amendment on January 4, 2011, after notice of said hearing was published in a newspaper of general circulation in Raymore, Missouri, at least fifteen (15) days prior to said hearing; and,

WHEREAS, the Planning and Zoning Commission heard public testimony at the public hearing and has submitted no recommendation to the Governing Body of the City of Raymore, Missouri; and,

WHEREAS, the Governing Body, City Council of Raymore, Missouri, held a public hearing on the proposed amendment on February 28, 2011 after notice of said hearing was published in a newspaper of general circulation in Raymore, Missouri, at least fifteen (15) days prior to said hearing; and

WHEREAS, the City Council of the City of Raymore, Missouri has determined the amendments proposed would be in the best interest of the health, safety and welfare of the citizens of Raymore.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RAYMORE, MISSOURI, AS FOLLOWS:

Section 1. Section 415.020C of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Section 415.020 CCO, City Center Overlay District

C. Permitted Uses

All uses allowed in the underlying zoning district shall be allowed in the CCO district as specified in the Use Table in Section 410.020 with the exceptions listed below. Those uses identified as requiring a conditional use permit shall do so in accordance with the regulations of this code. In order to promote the pedestrian intent of the CCO district, the following uses are prohibited:

1. motor vehicle repair;
2. gas stations;
3. vehicle sales;
4. accessory outdoor storage;
5. drive-thru facilities;
6. free standing fast food restaurants;
7. heavy industrial uses; and
8. bars and taverns.

Section 2: Section 485.010 of the Unified Development Code is hereby amended by the addition of the following definitions:

Section 485.010 General Definitions

Bar	*An establishment at which the principal business is the sale at retail of alcoholic beverages for consumption on the premises. The term shall not include a premises at which such beverages are sold in conjunction with the sale of food for consumption on the premises and the sale of the alcoholic beverages comprises less than twenty five percent (25%) of the gross receipts of the establishment.*
Free Standing Fast-food Restaurant	*An establishment a substantial portion of whose business involves the sale of foods, frozen deserts or beverages in ready-to-consume individual servings to occupants of motor vehicles for consumption off-premises.*

Section 3. This ordinance shall be known as the Tenth Amendment to the Unified Development Code.

Section 4: Effective Date. The effective date of approval of this Ordinance shall be coincidental with the Mayor's signature and attestation by the City Clerk.

Section 5: Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

DULY READ THE FIRST TIME THIS 28TH DAY OF MARCH 2011.

BE IT REMEMBERED THAT THE ABOVE ORDINANCE WAS APPROVED AND ADOPTED THIS 25TH DAY OF APRIL 2011 BY THE FOLLOWING VOTE:

Councilmember Adams	Aye
Councilmember Becker	Aye
Councilmember Cox	Aye
Councilmember Hubach	Aye
Councilmember Kellogg	Aye
Councilmember Kerckhoff	Aye
Councilmember Stevens	Aye
Councilmember Wescoat	Aye

ATTEST:

Jean Woerner, City Clerk

APPROVE:

Juan I. Alonzo, Mayor

4/26/11

Date of Signature